

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

JOHN SLACK,

Plaintiff,

v.

**DOLGENCORP, INC., DOLLAR
GENERAL PARTNERS, DOLGENCORP
OF NEW YORK, INC., and DOLGENCORP
OF TEXAS, INC.,**

Defendants.

Case No. 10-cv-321-DRH

ORDER

HERNDON, Chief Judge:

Before the Court is plaintiff John Slack's and defendant Dolgencorp, Inc.'s stipulation of dismissal with prejudice (Doc. 20) pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii) which provides that a plaintiff may dismiss an action without a court order by filing "a stipulation of dismissal signed by all parties who have appeared." The stipulation here is signed by Slack's attorney and the attorney for Dolgencorp, Inc. and contains a footnote that provides as follows:

"Defendant Dolgencorp, Inc. Was Plaintiff's former employer and is the proper party Defendant. Effective October 9, 2008, Dolgencorp, Inc. was converted to a limited liability company and is now Dolgencorp, LLC. No amendment is required to reflect this change. Dolgencorp of New York, Inc., Dolgencorp of Texas, Inc., and Dollar General Partners ("Other Defendants") were not Plaintiff's former employer. Because Other Defendants separately contest personal jurisdiction and venue, they do not join in this stipulation, and have not waived their challenge to jurisdiction and venue. Nonetheless, the stipulation of dismissal relates to a

dismissal of claims as to each named Defendant in this action.”

The Court hereby acknowledges the stipulation and finds that all of plaintiff's claims plead in the complaint are dismissed with prejudice, each party to bear their own fees and costs. The Clerk is instructed to close the file and enter judgment accordingly.

IT IS SO ORDERED.

Signed this 20th day of July, 2011.

 David R.
Herndon
2011.07.20
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**Chief Judge
United States District Court**